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Sustainable development: Convention on Biological Diversity

Report of the Second Committee*

Rapporteur: Mr. Glauco **Seoane** (Peru)

I. Introduction

1. The Second Committee held a substantive debate on agenda item 19 (see A/71/463, para. 2). Action on sub-item (f) was taken at the 20th and 28th meetings, on 24 October and 8 December 2016. An account of the Committee's consideration of the sub-item is contained in the relevant summary records.[1]

II. Consideration of draft resolutions A/C.2/71/L.7 and A/C.2/71/L.42

2. At the 20th meeting, on 24 October, the representative of Thailand, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Implementation of the Convention on Biological Diversity and its contribution to sustainable development" (A/C.2/71/L.7).

3. At its 28th meeting, on 8 December, the Committee had before it a draft resolution entitled "Implementation of the Convention on Biological Diversity and its contribution to sustainable development" (A/C.2/71/L.42), submitted by the Vice-Chair of the Committee, Ignacio Díaz de la Guardia (Spain), on the basis of informal consultations held on draft resolution A/C.2/71/L.7.

* The report of the Committee on this item is being issued in 11 parts, under the symbols A/71/463, A/71/463/Add.1, A/71/463/Add.2, A/71/463/Add.3, A/71/463/Add.4, A/71/463/Add.5, A/71/463/Add.6, A/71/463/Add.7, A/71/463/Add.8, A/71/463/Add.9 and A/71/463/Add.10.

[1] A/C.2/71/SR.20 and A/C.2/71/SR.28.

4. At the same meeting, the Committee was informed that draft resolution A/C.2/71/L.42 contained no programme budget implications.

5. Also at the same meeting, the Committee adopted draft resolution A/C.2/71/L.42 (see para. 7).

6. In the light of the adoption of draft resolution A/C.2/71/L.42, draft resolution A/C.2/71/L.7 was withdrawn by its sponsors.

III. Recommendation of the Second Committee

7. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Implementation of the Convention on Biological Diversity and its contribution to sustainable development

The General Assembly,

Recalling its resolutions 64/203 of 21 December 2009, 65/161 of 20 December 2010, 66/202 of 22 December 2011, 67/212 of 21 December 2012, 68/214 of 20 December 2013, 69/222 of 19 December 2014 and 70/207 of 22 December 2015 and its previous resolutions relating to the Convention on Biological Diversity,[1]

Recalling also the outcomes of the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, in June 1992,[2] the Programme for the Further Implementation of Agenda 21,[3] the Johannesburg Declaration on Sustainable Development[4] and the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Plan of Implementation)[5] and the outcome document of the special event to follow up efforts made towards achieving the Millennium Development Goals convened by the President of the General Assembly,[6]

Reaffirming the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want",[7] and, inter alia, the commitments concerning biodiversity contained therein,

Reaffirming also the Rio Declaration on Environment and Development[8] and its principles,

Reaffirming further its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which it adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, its commitment to working tirelessly for the full implementation of the Agenda by 2030, its recognition that eradicating poverty in all its forms and dimensions, including

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[1] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[2] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annexes I and II.

[3] Resolution S-19/2, annex.

[4] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[5] Ibid., resolution 2, annex.

[6] Resolution 68/6.

[7] Resolution 66/288, annex.

[8] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, its commitment to achieving sustainable development in its three dimensions — economic, social and environmental — in a balanced and integrated manner, and to building upon the achievements of the Millennium Development Goals and seeking to address their unfinished business,

Reaffirming its resolution 69/313 of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is an integral part of the 2030 Agenda for Sustainable Development, supports and complements it, helps to contextualize its means of implementation targets with concrete policies and actions, and reaffirms the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity,

Welcoming the Paris Agreement[9] and its early entry into force, encouraging all its parties to fully implement the Agreement, and parties to the United Nations Framework Convention on Climate Change[10] that have not yet done so to deposit their instruments of ratification, acceptance, approval or accession, where appropriate, as soon as possible,

Recalling that the objectives of the Convention on Biological Diversity, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding,

Reaffirming the intrinsic value of biological diversity, as well as the ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its critical role in maintaining ecosystems that provide essential services, which are critical foundations for sustainable development and human well-being,

Recognizing that the achievement of the three objectives of the Convention is crucial for sustainable development, poverty eradication and the improvement of human well-being and a major factor underpinning the achievement of the internationally agreed development goals, including the Sustainable Development Goals,

Reaffirming that, in accordance with the Charter of the United Nations and the principles of international law, States have the sovereign right to exploit their own resources pursuant to their own environmental policies and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction,

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[9] See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.

[10] United Nations, *Treaty Series*, vol. 1771, No. 30822.

Recalling that, in its resolution 65/161, the General Assembly declared 2011-2020 the United Nations Decade on Biodiversity, with a view to contributing to the implementation of the Strategic Plan for Biodiversity 2011-2020,[11]

Recognizing that the traditional knowledge, innovations and practices of indigenous peoples and local communities make an important contribution to the conservation and sustainable use of biodiversity and that their wider application can support social well-being and sustainable livelihoods,

Taking note of the decision adopted by the Conference of the Parties to the Convention on Biological Diversity at its twelfth meeting entitled "Article 8(j) and related provisions",[12]

Recalling the United Nations Declaration on the Rights of Indigenous Peoples[13] and the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[14]

Recognizing the vital role that women play in the conservation and sustainable use of biological diversity, and reaffirming the need for the full participation of women at all levels of policymaking and implementation for the conservation and sustainable use of biological diversity,

Recognizing also the important role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[15] an international agreement that stands at the intersection between trade, the environment and development in contributing to the conservation and sustainable use of biodiversity and in ensuring that no species entering into international trade is threatened with extinction,[16] and that should contribute to tangible benefits for local people, stressing the importance of basing the listing of species on agreed criteria, recognizing the economic, social and environmental impacts of poaching and of illicit trafficking in wildlife, where firm and strengthened action needs to be taken on both the supply and demand sides, and emphasizing in this regard the importance of effective international cooperation among relevant multilateral environmental agreements and international organizations,

Noting the contribution of the secretariat of and parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora to the implementation of the Global Strategy for Plant Conservation,

Noting also the convening of the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, as decided by the General Assembly in its resolutions 70/226 of 22 December 2015 and 70/303 of 9 September 2016, in New York from 5 to 9 June 2017,

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[11] United Nations Environment Programme, document UNEP/CBD/COP/10/27, annex, decision X/2, annex.

[12] United Nations Environment Programme, document UNEP/CBD/COP/12/29, decision XII/12.

[13] Resolution 61/295, annex.

[14] Resolution 69/2.

[15] United Nations, *Treaty Series*, vol. 993, No. 14537.

[16] See resolution Conf. 16.7 of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Noting further the adoption by the Conference of the Parties to the Convention on Biological Diversity, at its tenth meeting, of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity,[17] and acknowledging the role of access to genetic resources and equitable benefit-sharing arising from their utilization in contributing to the conservation and sustainable use of biological diversity, poverty eradication and environmental sustainability and, thereby, to the achievement of sustainable development,

Noting that 91 States and 1 regional economic integration organization have signed and that 88 States and 1 regional economic integration organization that are parties to the Convention have deposited their instrument of ratification, acceptance, approval or accession to the Nagoya Protocol, and noting also in this regard that the Protocol entered into force on 12 October 2014,

Noting also the Nagoya Protocol, the objective of which is the fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding, thereby contributing to the conservation of biological diversity and the sustainable use of its components,

Noting further that 195 States and 1 regional economic integration organization are parties to the Convention and that 169 States and 1 regional economic integration organization are parties to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,[18]

Noting that 50 States and 1 regional economic integration organization have signed and that 36 States and 1 regional economic integration organization that are parties to the Cartagena Protocol on Biosafety have deposited their instrument of ratification, acceptance, approval or accession to the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety,[19]

Recalling the adoption by the Conference of the Parties to the Convention at its ninth meeting of the strategy for resource mobilization in support of the achievement of the three objectives of the Convention,[20] as well as decision X/3, adopted by the Conference of the Parties at its tenth meeting,[21] on the review of its implementation, and the targets for resource mobilization, under Aichi Target 20 of the Strategic Plan for Biodiversity 2011-2020, adopted by the Conference of the Parties in its decision XII/3,[22]

Noting the outcomes of the twelfth meeting of the Conference of the Parties to the Convention, the seventh meeting of the Conference of the Parties serving as the

[17] United Nations Environment Programme, document UNEP/CBD/COP/10/27, annex, decision X/1.
[18] United Nations, *Treaty Series*, vol. 2226, No. 30619.
[19] United Nations Environment Programme, document UNEP/CBD/BS/COP-MOP/5/17, annex, decision BS-V/11.
[20] See United Nations Environment Programme, document UNEP/CBD/COP/9/29, annex I, decision IX/11.
[21] See United Nations Environment Programme, document UNEP/CBD/COP/10/27, annex.
[22] See United Nations Environment Programme, document UNEP/CBD/COP/12/29, sect. I.

Meeting of the Parties to the Cartagena Protocol and the first meeting of the Conference of the Parties serving as the Meeting of the Parties to the Nagoya Protocol, all held in Pyeongchang, Republic of Korea, in 2014,

Noting also the thirteenth meeting of the Conference of the Parties to the Convention, which will be held in Cancun, Mexico, in December 2016, as well as the eighth Meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol and the second meeting of the Conference of the Parties serving as the Meeting of the Parties to the Nagoya Protocol, all under the theme "Mainstreaming biodiversity for well-being", and recognizing that the outcomes of the meetings may contribute to the implementation of the 2030 Agenda,

Stressing the importance of inclusiveness within the United Nations development system and that no one is left behind and no country is left behind in the implementation of the present resolution,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity;[23]

2. *Notes with appreciation* the entry into force of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity[18] on 12 October 2014;

3. *Takes note with appreciation* of the Gangwon Declaration on Biodiversity for Sustainable Development, adopted at the high-level segment of the twelfth meeting of the Conference of the Parties to the Convention;

4. *Encourages* the respective parties, in close collaboration with relevant stakeholders, to take concrete measures towards achieving the objectives of the Convention on Biological Diversity[1] and the Protocols thereto, the Cartagena Protocol on Biosafety[19] and the Nagoya Protocol, requests the parties, in close collaboration with relevant stakeholders, to coherently and efficiently implement the obligations and commitments under the Convention and the Protocols, and in this regard emphasizes the need to comprehensively address at all levels the difficulties that may impede their implementation;

5. *Recognizes* that the conservation and sustainable use of biodiversity can significantly contribute to disaster risk reduction and to reducing the adverse impacts of climate change, including by adding resilience to fragile ecosystems and making them less vulnerable;

6. *Urges* the parties to the Convention to facilitate the transfer of technology for the effective implementation of the Convention in accordance with article 16 and other relevant provisions of the Convention, in this regard takes note of the strategy for the practical implementation of the programme of work on technology transfer and scientific and technical cooperation developed by the Ad Hoc Technical Expert Group on Technology Transfer and Scientific and Technological Cooperation, as well as of decision XI/2, entitled "Review of progress in implementation of national biodiversity strategies and action plans and

[23] A/71/216, sect. III.

related capacity-building support to parties",[24] and also takes note of the relevant decisions adopted by the Conference of the Parties at its twelfth meeting in this regard;[25]

7. *Notes with appreciation* the efforts made by the secretariat of the Convention, parties to the Convention and the Global Environment Facility, as the financial mechanism of the Convention, in conjunction with United Nations funds and programmes and the specialized agencies, as well as other entities, in organizing capacity-building workshops to support countries in the updating of national biodiversity strategies and action plans, with a view to enhancing capacity and addressing the need for human, technical and financial resources to implement the Strategic Plan for Biodiversity 2011-2020[11] and the Aichi Biodiversity Targets,[11] adopted by the Conference of the Parties to the Convention at its tenth meeting, in particular for developing countries;

8. *Urges* parties to promote the mainstreaming of gender considerations, taking into account the 2015-2020 Gender Plan of Action under the Convention on Biological Diversity,[25] in developing, implementing and revising their national and, where appropriate, regional and subnational biodiversity strategies and action plans and equivalent instruments in implementing the three objectives of the Convention;

9. *Calls upon* Governments and all stakeholders to take appropriate measures to mainstream consideration of the socioeconomic impacts and benefits of the conservation and sustainable use of biodiversity and its components, as well as ecosystems that provide essential services, into relevant programmes and policies at all levels, in accordance with national legislation, circumstances and priorities;

10. *Reaffirms* the importance of continuing to pursue more efficient and coherent implementation of the three objectives of the Convention, and calls upon parties and stakeholders to strengthen international cooperation measures for the fulfilment of obligations contained in the Convention;

11. *Also reaffirms* the importance of the achievement of the Aichi Biodiversity Targets and the implementation of the Strategic Plan for Biodiversity 2011-2020 by the parties to the Convention;

12. *Recognizes* that parties to the Convention have reiterated that resources, financial, human and technical, need to be mobilized from all sources, and that this should be balanced with the effective implementation of the Strategic Plan for Biodiversity 2011-2020, stresses the need for further consideration of the evaluation of all resources mobilized in terms of the biodiversity outcomes achieved, and in this regard welcomes the decision of the parties to the Convention on an overall substantial increase in total biodiversity-related funding for the implementation of the Strategic Plan from a variety of sources, including national and international resource mobilization, international cooperation and the exploration of new and innovative financial mechanisms, and takes note of the decisions adopted by the Conference of the Parties at its twelfth meeting in this regard;

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[24] See United Nations Environment Programme, document UNEP/CBD/COP/11/35, annex I.

[25] United Nations Environment Programme, document UNEP/CBD/COP/12/29, decision XII/7, annex.

13. *Invites* countries that have not yet done so to ratify or accede to the Convention;

14. *Invites* parties to the Convention to ratify or accede to the Nagoya Protocol, and invites the Executive Secretary of the Convention and the Global Environment Facility, within its mandate as the financial mechanism of the Convention, in collaboration with relevant organizations, to continue to support capacity-building and development activities to support the ratification and implementation of the Protocol;

15. *Also invites* parties to the Convention to consider, as appropriate, ratifying or acceding to the Cartagena Protocol on Biosafety;

16. *Invites* parties to the Cartagena Protocol on Biosafety to consider, as appropriate, ratifying or acceding to the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety;[20]

17. *Takes note* of the work done by the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions, and in this regard invites the secretariat of the Convention, through the Secretary-General, to report on the progress made when reporting on the implementation of the present resolution to the General Assembly;

18. *Stresses* the importance of mainstreaming biodiversity in the implementation of the 2030 Agenda for Sustainable Development as part of national implementation plans for the Sustainable Development Goals, in particular all biodiversity-related Goals and targets;

19. *Takes note* of the fourth plenary meeting of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, which aims to provide the best available policy-relevant information on biodiversity and ecosystem services to assist decision makers, including through its summary for policymakers of the assessment report on pollinators, pollination and food production and its summary for policymakers of the methodological assessment report on scenarios and models of biodiversity and ecosystem services;

20. *Stresses* the importance of the engagement of the private sector and other stakeholders in the implementation of the three objectives of the Convention and in the achievement of the biodiversity targets, invites them to align their policies and practices more explicitly with the objectives of the Convention, including through partnerships, in accordance with national legislation, circumstances and priorities, and in this regard stresses the importance of the ongoing work of the Global Partnership for Business and Biodiversity;

21. *Notes* the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[26] and the United Nations Framework Convention on Climate Change[10] (the Rio conventions) and the Liaison Group of Biodiversity-related Conventions, acknowledges the importance of improving coherence in the implementation of

[26] United Nations, *Treaty Series*, vol. 1954, No. 33480.

those conventions, recognizes the importance of enhancing synergies among the biodiversity-related conventions, without prejudice to their specific objectives, in this regard notes the contribution of the United Nations Environment Assembly, as reflected in its resolution 2/17 of 27 May 2016, and encourages the conferences of the parties to the biodiversity-related multilateral environmental agreements to consider strengthening efforts in this regard, taking into account relevant experiences and bearing in mind the respective independent legal status and mandates of those instruments;

22. *Calls upon* the relevant organizations of the United Nations system, within their respective mandates and resources, to ensure that no one is left behind and no country is left behind in the implementation of the present resolution;

23. *Requests* the Secretary-General to submit to the General Assembly at its seventy-second session a report on the implementation of the present resolution, including the outcome of the thirteenth meeting of the Conference of the Parties to the Convention on Biological Diversity and progress in the implementation of the Convention and the Aichi Biodiversity Targets and difficulties encountered in the process of their implementation, and decides to include, under the item entitled "Sustainable development", the sub-item entitled "Convention on Biological Diversity" in the provisional agenda of its seventy-second session, unless otherwise agreed.